

EXHIBIT 5

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODRIGUEZ, JULIEANNA)
ELIZA CAMBAY, SAL) Case No.:
, EMIR GOENAGA, JULIAN) 3:20-cv-04688
, HAROLD NYANJOM, KELLIE)
, and SUSAN LYNN HARVEY,)
ually and on behalf of all)
similarly situated,)
Plaintiffs,)
.)
LLC,)
Defendant.)
-----)

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

REMOTE PROCEEDINGS OF THE
VIDEOTAPED DEPOSITION OF STEVE GANEM
FRIDAY, OCTOBER 28, 2022

20 REPORTED BY NANCY J. MARTIN
21 CSR. NO. 9504, RMR, RPR
22 CLAUDIA R. GARCIA, CSR. 12812
23 JOB No. 5554575
24
25 PAGES 1-325

1 MR. SANTACANA: Compound.

2 THE WITNESS: The Google Analytics customer
3 needs to create a Google Analytics account, agree to
4 the terms of service, including disclosure policies
5 and consent policies. They would need to integrate
6 the Google Analytics for Firebase SDK. They would
7 need to enable the Google signals setting, which,
8 again, by default is turned off for all customers.

9 The end users who use their apps would need
10 to be signed in on their device. They would have to
11 turn on ads personalization, turn on app and web
12 activity, turn on what we would refer to as SWAA which
13 is -- which allows for the web and app activity in
14 third-party sites that integrate Google services to be
15 associated with their accounts.

16 And only in those circumstances would it be
17 possible for their GAIA identity to be joined in and
18 written to separate logs, not the same logs as they're
19 pseudonymous log activity.

20 BY MR. MAO:

21 Q. So this first log said that you called app
22 measurement, these are [REDACTED]?

23 (Pause.)

24 BY MR. MAO:

25 Q. Sir?

1 A. I can answer in the context of Google
2 Analytics.

3 Q. Yeah. Please, for Google Analytics.

4 A. In the context of Google Analytics, when
5 events from a third-party SDK are transmitted to our
6 servers, if that IDFA is not mappable, if it even is
7 present subject to all the settings I mentioned, if
8 that's not mappable to any GAIA, and since the
9 settings you're referring to are GAIA-related account
10 settings, there's no way to look up the swAA settings,
11 and there's no attempt to infer that in Google
12 Analytics.

13 Q. So where on iOS -- after iOS 14 was released,
14 there is no way to do that look up, what does Google
15 Analytics for Firebase do with regard to data coming
16 in for the [REDACTED]? Does it get associated with the
17 GAIA side or the non GAIA side? Like what happened
18 after iOS 14, I guess, is my question?

19 A. Data corresponding to user interactions in
20 the app are transmitted and associated with
21 [REDACTED] in the app measurement logs,
22 as they've always been.

23 What's different is that since there is
24 practically no way to look up the corresponding GAIA
25 and/or to check its swAA settings, there's no writing

1 C E R T I F I C A T E

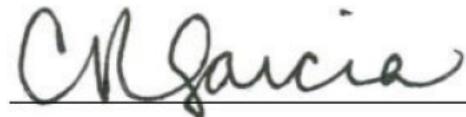
2 I, the undersigned, a Certified Shorthand
3 Reporter of the State of California, do hereby certify;
4 That the foregoing proceedings were taken
5 before me stenographically at the time and place herein
6 set forth; that any witnesses in the foregoing
7 proceedings, prior to testifying, were administered an
8 oath; that a record of the proceedings was made by me
9 using machine shorthand which was thereafter
10 transcribed under my direction; that the foregoing
11 transcript is a true record of the testimony given.

12 Further, that if the foregoing pertains to the
13 original transcript of a deposition in a Federal Case,
14 before completion of the proceedings, review of the
15 transcript [] was [] was not requested.

16 I further certify I am neither financially
17 interested in the action nor a relative or employee or
18 any attorney or any party to this action.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21 Dated: November 22, 2022

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23 
24

25 CLAUDIA R. GARCIA, CSR. 12812